

OFFICE OF THE GENERAL COUNSEL  
Division of Operations-Management

MEMORANDUM OM 95-2

January 5, 1995

TO : All Regional Directors, Officers-in-Charge,  
and Resident Officers

FROM : William G. Stack, Associate General Counsel

SUBJECT: "Salting" Cases

Memorandum OM 94-73 provided guidance for investigations of "salting" cases. Included in that Memorandum was a request that Regions seek clearance from the Operation-Management coordinator before issuing dismissal letters in no-merit "salting" cases. Since the issuance of Memorandum OM 94-73, hundreds of "salting" cases have been filed. Originally a strategy by only the Boilermakers and the IBEW, the "salting" technique has been adopted by nearly all skilled trade unions. Based on our ongoing review of these cases, it is now evident that all Regional Offices are following the investigatory techniques suggested in the foregoing Memorandum and are appropriately conducting the thorough investigation that these types of cases require. Additional case law has also developed and further guidance has been provided by the Division of Advice and the Office of Appeals. Accordingly, the need for review by Operations-Management of each case which Regional Offices have decided to dismiss does not appear to be necessary. Therefore, Regions are no longer required to submit such dismissal cases for clearance. Further, without completing our review of each pending case, we are returning all cases that were previously submitted for clearance and Regions may implement their dismissal determination.

There remains a need, however, to coordinate and monitor "salting" cases. Accordingly, continue to send copies of all charges to the Operations-Management coordinator, Richard Hardick. Additionally, all Regions should send him copies of all "salting" complaints and, if it is not evident in the complaint, highlight or otherwise indicate the name of "salts" that are paid union organizers. You should consult him with respect to multi-Regional issues involving the same Respondents. Of course, unique issues or those of national importance, should continue to be submitted to Advice.

Your cooperation and patience with our requests in the "salting" memos have been much appreciated. I recognize that with the General Counsel's emphasis in Section 10(j) cases and representation cases, these complex and lengthy cases have further depleted your scarce time and staff resources.

If you have any questions concerning this memorandum, you may contact me, Richard Hardick or your Assistant General Counsel

W. G. S.

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